

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** Chair Kerry White, on February 1, 2017 at 3:00 PM, in Room 172 Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Kerry White, Chair (R)  
Rep. Zach Brown, Vice Chair (D)  
Rep. Theresa Manzella, Vice Chair (R)  
Rep. Kim Abbott (D)  
Rep. Bob Brown (R)  
Rep. Willis Curdy (D)  
Rep. Ross H. Fitzgerald (R)  
Rep. John Fleming (D)  
Rep. Kelly Flynn (R)  
Rep. Wylie Galt (R)  
Rep. Steve Gunderson (R)  
Rep. Dale Mortensen (R)  
Rep. Mark Noland (R)

**Members Excused:** Rep. Virginia Court (D)  
Rep. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Lexi Goble, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 339, 1/30/2017  
Executive Action: HB 78, HB 99, HB110

00:01:09 Chair White

**HEARING ON HB 339**

**Opening Statement by Sponsor:**

00:01:56 Rep. Carl Glimm (R), HD 6, opened the hearing on HB 339, Revise laws related to exempt appropriations of water.

**Proponents' Testimony:**

00:06:19 Rep. Hamlett

00:07:38 Abigail St. Lawrence, Montana Association of Realtors (MAR)  
Montana Building Industry association (MBIA)

00:12:34 James Anderson, Montana Association of Realtors (MAR)

**EXHIBIT(nah23a01)**

00:15:38 Eric Bryson, Montana Association of Counties (MACo)

00:18:32 Ronda Wiggers, Montana Water Well Drillers Association (MWWDA)

00:22:27 Krista Lee Evans, Senior Water Rights Coalition (SWRC)  
Association of Gallatin Agricultural Irrigators (AGAI)

00:25:52 Chelcie Cargill, Montana Farm Bureau Federation (MFBF)  
Montana Water Resources Association (MWRA)

00:27:14 Tammy Johnson, Montana Mining Association (MMA)

00:28:36 Jay Bodner, Montana Stockgrowers Association (MSGA)  
Montana Cattle Woman (MCW)

00:29:46 Levi Ostberg, Montana Farmers Union (MFU)

**Opponents' Testimony:**

00:30:58 Jeff Barber, Clark Fork Coalition (CFC); Montana Association of Planners (MAP);  
Montana Smart Growth Coalition (MSGC)

00:34:39 Tim Burton, Montana League of Cities and Towns (MLCT)

00:40:39 Bryan Ohs, Montana Trout Unlimited (MTU)

00:45:50 Adam Haight, Northern Plains Resources Council (NPRC)

00:47:34 Derf Johnson, Montana Environmental Information Center (MEIC)

00:48:54 Amy Seaman, Montana Audubon

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:50:12 Rep. Mortensen

00:50:31 Abigail St. Lawrence, MAR

00:53:23 Rep. Curdy

00:55:56 Rep. Glimm

00:56:53 Rep. B. Brown

00:57:39 Abigail St. Lawrence, MAR

00:59:44 Rep. Abbott

01:01:10 Krista Lee Evans, SWRC, AGAI

01:02:17 Rep. Manzella

01:03:02 Ronda Wiggers, MWWDA

01:05:23 Rep. Court

01:07:13 Krista Lee Evans, SWRC, AGAI

01:08:01 Rep. Gunderson  
 01:09:18 Krista Lee Evans, SWRC, AGAI  
 01:09:33 Rep. Fleming  
 01:10:55 Ronda Wiggers, MWWDA  
 01:11:15 Rep. Flynn  
 01:13:31 Krista Lee Evans, SWRC, AGAI  
 01:14:14 Chair White  
 01:15:05 Rep. Z. Brown  
 01:15:55 Krista Lee Evans, SWRC, AGAI  
 01:16:51 Rep. Z. Brown  
 01:17:31 Abigail St. Lawrence, MAR  
 01:19:40 Rep. Noland  
 01:20:40 Ronda Wiggers, MWWDA  
 01:22:30 Rep. Curdy  
 01:23:52 Eric Bryson, MACo  
 01:24:31 Rep. Curdy  
 01:24:39 Eric Bryson, MACo  
 01:24:53 Rep. Flynn  
 01:26:01 Krista Lee Evans, SWRC, AGAI  
 01:26:30 Rep. Mortensen  
 01:27:14 James Anderson, MAR  
 01:27:47 Rep. Z. Brown  
 01:28:08 Bryan Ohs, MTU  
 01:29:16 Joe Kolman, Legislative Services Division (LSD)  
 01:30:45 Chair White  
 01:32:02 Tim Burton, MLCT  
 01:32:21 Chair White  
 01:34:07 Bryan Ohs, MTU

**Closing by Sponsor:**

01:35:00 Rep. Glimm  
  
 01:40:11 Chair White  
 01:40:57 Rep. Glimm  
  
 01:41:19 Recess  
 02:03:06 Reconvene

**EXECUTIVE ACTION ON HB 78**

02:03:24 **Motion:** Rep. Manzella moved that **HB 78 DO PASS.**  
  
 02:03:41 Joe Kolman, Legislative Service Division (LSD)  
 02:03:48 Chair White  
  
 02:03:59 **Motion:** Rep. Z. Brown moved that **HB 78 BE AMENDED.**  
**EXHIBIT(nah23a02)**

**Discussion:**

02:04:23 Chair White

02:04:35 Rep. Z. Brown  
02:04:56 Joe Kolman, LSD  
02:05:30 Rep. Flynn

02:05:42 **Vote:** Motion carried unanimously by voice vote. Rep. Court and Rep. Windy Boy voted by proxy.

02:06:07 **Motion:** Rep. Manzella moved that **HB 78 DO PASS AS AMENDED.**

**Discussion:**

02:06:28 Rep. B. Brown  
02:06:53 Chair White

02:07:18 **Substitute Motion:** Rep. Gunderson made a substitute motion that **HB 78 BE TABLED.**

02:07:29 **Vote:** Motion carried 9-6 by roll call vote with Rep. Abbott, Rep. Z. Brown, Rep. Court, Rep. Curdy, Rep. Fleming and Rep. Windy Boy voting no. Rep. Court and Rep. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON HB 99**

02:09:28 **Motion:** Rep. Manzella moved that **HB 99 DO PASS.**

02:10:04 **Motion:** Rep. Z. Brown moved that **HB 99 BE AMENDED.**  
[EXHIBIT\(nah23a03\)](#)

**Discussion:**

02:10:16 Rep. B. Brown  
02:11:52 Rep. Z. Brown

02:13:14 **Vote:** Motion carried unanimously by voice vote. Rep. Court and Rep. Windy Boy voted by proxy.

02:13:40 **Motion:** Rep. Manzella moved that **HB 99 DO PASS AS AMENDED.**

**Discussion:**

02:13:58 Rep. Flynn  
02:14:47 Chair White  
02:15:49 Rep. Abbott

02:16:37 **Vote:** Motion carried 14-1 by roll call vote with Rep. Flynn voting no. Rep. Court and Rep. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON HB 110**

02:18:00 **Motion:** Rep. Manzella moved that **HB 110 DO PASS.**

02:18:34 **Motion:** Rep. Galt moved that **HB 110 BE AMENDED.**

**EXHIBIT**(nah23a04)**Discussion:**

02:18:48 Joe Kolman, LSD

02:19:50 Chair White

02:20:30 **Substitute Motion/Vote:** Rep. Z. Brown made a substitute motion to **SEGREGATE AMENDMENT LINES 1,4,5** from the amendment. Motion carried unanimously.

02:21:53 **Vote:** Motion carried unanimously by voice vote. Rep. Court and Rep. Windy Boy voted by proxy.

02:22:19 **Motion:** Chair White moved **AMENDMENT LINES 1,4,5 DO PASS**

**Discussion:**

02:23:14 Rep. Z. Brown

02:23:21 Rep. Galt

02:24:04 Rep. Z. Brown

02:24:42 Rep. Flynn

02:25:03 Rep. Z. Brown

02:25:39 Chair White

02:25:51 Rep. Z. Brown

02:26:41 Chair White

02:27:30 Rep. Z. Brown

02:28:01 Rep. Flynn

02:30:43 Chair White

02:31:07 Joe Kolman, LSD

02:32:02 Chair White

02:32:56 **Vote:** Motion carried 9-6 by roll call vote with Rep. Abbott, Rep. Z. Brown, Rep. Court, Rep. Fitzgerald, Rep. Flynn and Rep. Windy Boy voting no. Rep. Court and Rep. Windy Boy voted by proxy.

02:34:44 **Motion:** Rep. Manzella moved that **HB 110 DO PASS AS AMENDED.**

**Discussion:**

02:35:00 Rep. Flynn

02:35:19 Rep. Galt

02:35:35 Rep. Z. Brown

02:36:35 Chair White

02:37:02 Rep. Curdy

02:37:44 **Vote:** Motion carried 8-7 by roll call vote with Rep. B. Brown, Rep. Flynn, Rep. Galt, Rep. Gunderson, Rep. Manzella, Rep. Mortensen and Rep. Noland voting no. Rep. Court and Rep. Windy Boy voted by proxy.

**ADJOURNMENT**

Adjournment: 02:39:57

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Lexi Goble, Secretary

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Additional Documents:

**EXHIBIT**([nah23aad.pdf](#))